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Docket No.
AM9990146US1

In Re Application Of:
Sundaresan, Neelakantan

Serial No.	Filing Date	Examiner	Group Art Unit
09/672,304	September 29, 2000	Alaubaidi, Haythim J.	2171

Invention:

METHOD AND SYSTEM FOR SELECTIVELY ACCESSING FILES ACCESSIBLE THROUGH A NETWORK

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith in triplicate is the Appeal Brief in this application, with respect to the Notice of Appeal filed on

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Signature

Dated: **December 22, 2003**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE HONORABLE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of

N. Sundaresan

Serial No.: 09/672,304 **Group Art Unit:** 2171

Filed: September 29, 2000 **Examiner:** Alaubaidi, Haythim J.

For: METHOD AND SYSTEM FOR SELECTIVELY ACCESSING FILES ACCESSIBLE THROUGH A NETWORK

Honorable Commissioner of Patents
Alexandria, VA 22313-1450

BRIEF ON APPEAL

L14 AND BADL 2000 09 29 / year mo date

Appeal from Group 2100

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I. REAL PARTY IN INTEREST

The real party in interest for this appeal and the present application is International Business Machines Corporation on September 29, 2000, by way of an Assignment recorded in the U.S. Patent and Trademark Office at Reel 011161, Frame 0628.

II. RELATED APPEALS AND INTERFERENCES

There are presently no appeals or interferences, known to the Appellant, the Appellant's representatives or the Assignee, which will directly affect or be directly affected by or have a bearing upon the Board's decision in the pending appeal.

III. STATUS OF CLAIMS

Appellant appeals the final rejection of claims 1-23. No other claims are pending.

IV. STATUS OF AMENDMENTS

An Amendment After Final Rejection was filed on August 22, 2003. By an Advisory Action dated September 3, 2003, the Examiner indicated that the Amendment would be entered upon filing of a Notice of Appeal and an Appeal Brief.

A Supplemental Amendment After Final Rejection was filed on September 22, 2003 along with a Petition for Extension of Time and the requisite fee. During a telephone conference on October 17, 2003, Examiner Alaubaidi indicated that he refused entry of the Supplemental Amendment After Final Rejection for non-payment of extension of time fees. The Applicant

immediately faxed a copy of the facsimile confirmation indicating receipt of the Petition for Extension of Time that included an authorization to charge Appellant's deposit account. During a follow up phone call on October 17, 2003, Examiner Alaubaidi indicated that he in fact found the Petition of Extension of Time in the Examiner's file.

During a telephone conference on October 22, 2003, Examiner Alaubaidi indicated that he had issued an Advisory Action, but indicated that he would not fax a copy of the Advisory Action to the Appellant.

Appellant filed a Notice of Appeal on October 22, 2003.

By an Advisory Action dated October 27, 2003, the Examiner indicated that the Amendment would be entered upon filing of a Notice of Appeal and an Appeal Brief.

Appellant noted that the continuation sheet to the October 27, 2003 Advisory Action did not refer to the Supplemental Amendment After Final Rejection that was filed on September 22, 2003. After multiple telephone conferences with Examiner Alaubaidi on October 29, 2003, October 31, 2003, November 3, 2003, November 11, 2003, and November 19, 2003, Examiner Alaubaidi agreed to issue another paper clarifying that the comments on the continuation sheet to the October 27, 2003 Advisory Action were applied to the Supplemental Amendment After Final Rejection that was filed on September 22, 2003.

Examiner Alaubaidi also requested and received a facsimile copy on November 3, 2003 of the Supplemental Amendment After Final Rejection that was filed on September 22, 2003 .

After not receiving any such paper from Examiner Alaubaidi, Appellant again conducted yet another telephone conference with the Examiner on December 4, 2003. During the

December 4, 2003 telephone conference, Examiner Alaubaidi indicated that "he had not yet gotten to it yet," but anticipated issuing the paper "within the next ten days." To date, no such paper has been issued or received.

Appellants also filed a second Supplemental Amendment After Final Rejection along with the present Appeal Brief to correct a minor informality in claim 23.

V. SUMMARY OF THE INVENTION

The claimed invention is directed to a method for searching files stored on a network. The method includes downloading a first file on the network, accessing time data from within that first file and setting an access time to access a second file based on the time data from within the first file. The time data provides an indication of when the second file is scheduled to be updated.

Conventional network file search engines conduct searches for updated files on networks periodically, such as at regular intervals. One problem with these conventional systems is that these systems do not have any method for determining when a website might be scheduled to be updated. Depending on how often a website is updated, the web crawler's archive data could be very outdated. On the other hand, frequent web crawler visits to websites which are not frequently updated consume valuable computer resources.

The present invention provides a method for determining when and how often a web crawler should return to a web site. The present invention provides this advantage because the method downloads a first file on a network, accesses time data from within the first file and sets

an access time to access a second file based upon the time data from within the first file, where that time data indicates when the second file is scheduled to be updated.

In an exemplary embodiment of the present invention, the method accesses a channel definition format (CDF) file which provides an indication of when a particular channel (and/or subchannel) is scheduled to be updated (see page 4, line 15 - page 5, line 2). Therefore, in this exemplary embodiment the first file is the CDF and the second file is the channel.

In this manner, the present invention provides for more efficient web crawling of a web site by crawling the site when and where it is likely the information contained therein is updated (page 6, lines 7-15).

VI. ISSUE

Whether claims 1-23 are unpatentable under 35 U.S.C. § 103(a) over the Najork reference (U.S. Patent No. 6,321,265) in view of the Shaffer et al. reference (U.S. Patent No. 6,094,681).

VII. GROUPING OF CLAIMS

There is one group of claims. Claims 2-23 stand or fall with claim 1.

VIII. ARGUMENT

A. **The Examiner's rejection is flawed as a matter of law - - The Najork and Shaffer et al. references would not have been combined by one of ordinary skill in the art at the time of the invention.**

To establish obviousness under 35 U.S.C. § 103, the Examiner must show that the differences between the claimed subject matter and the prior art are such that the subject matter as a whole would have been obvious at the time of the invention was made to a person having ordinary skill in the art to which the subject matter pertains. In re Reuter, 651 F.2d 751, 210 USPQ 249 (CCPA 1981). However, obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention without a teaching, suggestion or motivation to support the combination. ACS Hospital Systems, Inc. v. Montefiore Hospital, 732 F.2d 1572, 1577, 221 USPQ 929, 933 (Fed. Cir. 1984).

The Examiner alleges that the Shaffer et al. reference would have been combined with the Najork reference to form the claimed invention.

Appellant submits that these references would not have been combined as alleged by the Examiner. Indeed, the references are directed to completely different matters and problems.

Specifically, the Najork et al. reference is directed to providing an efficient method for avoiding the sending of multiple parallel requests from a web crawler to the same host computer (col. 1, line 60 - col. 2, line 2) which does not have millions of queues sitting idle (col. 2, lines 19-23), and does not waste time scanning through a list of URL's (col. 2, lines 32-36).

In contrast, the Shaffer et al. reference is specifically directed to notifying a remote user

when an event that is determined by the user occurs and when that user is unavailable locally to receive notification. Therefore, one of ordinary skill in the art who was concerned with finding an efficient method for avoiding the sending of multiple parallel requests from a web crawler to the same host computer as disclosed by the Najork et al. reference based upon the completely different and unrelated problem of notifying a remote user when an event that is determined by the user occurs and when that user is unavailable locally to receive notification as disclosed by the Shaffer et al. reference. Thus, the references would not have been combined.

Further, Appellant submits that the Examiner can point to no motivation or suggestion in the references to urge the combination as alleged by the Examiner.

The Examiner alleges that it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of the Najork et al. reference based upon the teachings of the Shaffer et al. reference "to have a web crawler or a search engine to (sic) subscribe to one of these push servers just as in the computer 10 of Figure NO. 1 for Shaffer (sic)."

In other words, the Examiner appears to allege that it would have been obvious to have the web crawler disclosed by the Najork et al. reference subscribe to the push server provider (e.g. Web server 53 of Fig. 1). Appellant respectfully submits that the web crawler disclosed by the Najork et al. reference has absolutely no use for a push server. Thus, one of ordinary skill in the art would not have been motivated to "subscribe" the web crawler of the Najork et al. reference to the push server disclosed by the Shaffer et al. reference.

The web crawler disclosed by the Najork et al. reference "automatically finds and

downloads documents from host computers in networks such as the World Wide Web. When a web crawler is given a set of starting URL's, the web crawler downloads the corresponding documents, then the web crawler extracts any URL's contained in those downloaded documents and downloads more documents using the newly discovered URL's. This process repeats indefinitely or until a predetermined stop condition occurs." (Col. 1, lines 31-39). The invention described in the Najork et al. reference is directed to enabling this process to continue without causing the servers which are providing the documents to the web crawler to crash (col. 1, line 49 - col. 2, line 2).

In other words, the primary purpose of the web crawler disclosed by the Najork et al. reference is to download all documents from all URL's on the world wide web. The Najork et al. reference has not disclosed or suggested that the web crawler would find any value at all in determining when updates to web pages have occurred, receiving updated web pages and/or receiving regularly scheduled notices regarding web pages.

In stark contrast, the Shaffer et al. reference discloses a notification system which analyzes received data to determine the presence of predetermined events which will trigger the system to provide a notice to a user (col. 2, lines 6-24). The Shaffer et al. reference provides examples of sources for the received data as including email messages, web page update, a scheduling message for a calendar, or a scheduling reminder.

In one exemplary embodiment of a received data source, the Shaffer et al. reference explains that the notification system may receive web page updates from a push server. The Shaffer et al. reference explains that the push server monitors locally supported web sites and/or

remotely located web sites to determine when updates occur and provides the web sites that have been detected as being updated or at user-configurable times to subscribers (col. 4, lines 11-20).

The Najork et al. reference has not disclosed that the web crawler would find any value at all in the type of services provided by the push server disclosed by the Shaffer et al. reference. The Najork et al. reference has not disclosed that the web crawler would find any value at all in determining when updates to web pages have occurred, receiving updated web pages and/or receiving regularly scheduled notices regarding web pages.

Further, the Shaffer et al. reference also does not disclose anything at all regarding web crawlers and also does not provide any reason why a web crawler would find any benefit at all in receiving updated web pages from a push server.

Further, as set forth in M.P.E.P. § 2142 there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings and the teaching or suggestion to make the claimed combination must be found in the prior art, and not based on appellant's disclosure in order to have a prima facie case of obviousness.

While the Examiner has alleged that the motivation to make the Examiner's proposed modification is because "one would like to only visit a web site when new info is available or be notified of an event when new info became available, also to dramatically minimize and free-up the system resources not mentioning (sic) the benefits to minimizing the network traffic," the Examiner has failed to provide a source for these motivations.

Rather, Appellant respectfully submits that the Examiner has engaged in the

impermissible use of hindsight by relying upon the Appellant's own disclosure in an attempt to provide a motivation to modify. Clearly, this cannot be used to bolster the Examiner's lack of a prima facie case of obviousness.

Additionally, the web crawler of Najork et al. requires a direct connection to the Internet (e.g. the World Wide Web) in order to be able to accomplish the purpose of downloading all documents on all web pages. The Examiner's proposed modification of requiring the web crawler of Najork et al. to only access web page updates provided by the push server disclosed by the Shaffer et al. reference would render the web crawler of Najork et al. inoperable for its intended purpose.

As explained above, the purpose of the Najork et al. reference is to "crawl" across the Web and to download files. If one were to modify the web crawler disclosed by the Najork et al. reference to only receive the web page updates which are provided by the push server disclosed by the Shaffer et al. reference would prevent the Najork et al. from being able to crawl across the Web and to download files. Neither of these references explain how a web crawler, like the one disclosed in the Najork et al. reference would process a web page update. Indeed, the web crawler as disclosed by the Najork et al. reference is not capable of processing web page updates received from a push server like that disclosed by the Najork et al. reference.

Therefore, clearly the Examiner's proposed modification would render the web crawler disclosed by the Najork et al. reference inoperable.

Indeed, the Schaffer et al. reference does not disclose how the push server monitors the websites to determine whether updates have occurred.

Therefore, one of ordinary skill in the art would not have been motivated to modify the teachings of the Najork et al. reference based upon the teachings of the Shaffer et al. reference as alleged by the Examiner and the Examiner has failed to present a prima facie case of obviousness of the present invention.

B. **The Examiner's rejection is flawed as a matter of fact - - The Najork and Shaffer et al. references do not teach or suggest each and every element of the claimed combination.**

Even assuming arguendo that one of ordinary skill in the art would have been motivated to combine these references, the combination would not teach or suggest each and every element of the claimed invention.

As explained previously, the Najork et al. reference does not teach or suggest setting an access time for a second file based on time data from within a first file. Rather, the Najork et al. reference discloses a system, which sets an access time based upon the download time of a previous document from the same web server (col. 2, lines 43-45).

In other words, the Najork et al. reference attempts to avoid multiple parallel requests to the same host computer by estimating how long a file being currently downloaded (second file) will take to download based upon the time that a previous document (first file) took to download and then setting an access time for a subsequent download (third file) based upon that amount of time. In that manner, the system disclosed by the Najork et al. reference sets an access time for accessing the subsequent download (third file) based upon the download time of a document

(first file) which is previous to a document (second file) currently being downloaded. Therefore, the Najork et al. reference does not teach or suggest setting an access time based upon data downloaded FROM WITHIN a first file. Rather, the Najork et al. reference discloses setting an access time based upon a download time of a first file.

Indeed, the Najork et al. reference does not even address the problem solved by the present invention. The Najork et al. reference is directed to a current visit to a web site by a web crawler and downloading all of the data from the host computer of that web site. The Najork et al. reference addresses issues regarding avoiding overloading the host computer with multiple parallel requests during that same visit.

In stark contrast, the present invention is directed to determining when a web crawler should conduct a return visit to a host computer. The present invention is concerned with visiting a web site more often than necessary. As explained above, conventional web crawlers (including the web crawler disclosed by the Najork et al. reference) visit web sites periodically. The problem is that the data on each web site may not have been updated since the last visit. Therefore, these conventional web crawlers revisit these web sites too often.

The present invention is directed to determining when to conduct a return visit to a web site based upon data from that web site which may indicate when a file is scheduled to be updated. As explained above, in an exemplary embodiment of the present invention, the first file corresponds to a channel definition format file which includes data about when a second file which corresponds to a channel is scheduled to be updated. The present invention takes advantage of that data within the channel definition format file to determine when to conduct a

return visit to download the claimed second file with the most update information.

By contrast, the Najork et al. reference is directed to a current visit to a web site where a first web page is downloaded and analyzed to retrieve addresses for additional web pages on the same host computer. Therefore, the Najork et al. reference is not at all concerned with when the first web page may be updated. Rather, the Najork et al. reference is concerned with when the host computer may safely download additional web pages.

The Shaffer et al. reference, like the Najork et al. reference, does not teach or suggest setting an access time to access a second file based upon the data from within the first file. In this manner, the present invention provides for more efficient web crawling of a web site by crawling the site when and where it is likely the information contained therein is updated (page 6, lines 7-15).

Clearly, this novel feature is not taught or suggested by the Shaffer et al. reference. Indeed, the Shaffer et al. reference is completely unrelated to the claimed invention.

The Examiner admits that the Najork et al. reference does not teach or suggest setting an access time to access a second file based upon the data from within the first file. However, the Examiner cites the Abstract of the Shaffer et al. reference in an attempt to allege that the Shaffer et al. remedies this deficiency.

In particular, the Examiner appears to confuse the meaning of the scheduling updates discussed in the Shaffer et al. reference. The Examiner lifts the text "scheduling updates" out of context. The Abstract of the Shaffer et al. reference states: "The data filter is capable of analyzing data included in web page updates transmitted to a web browser of the computer, e-

mail messages, scheduling updates and requests transmitted to an electronic calendar of the computer, and scheduling reminders transmitted by the electronic calendar. Therefore, the "scheduling updates" disclosed by the Shaffer et al. reference have absolutely nothing to do with when a file may be updated.

Rather, as explained above, the Shaffer et al. reference discloses a notification system which analyzes received data to determine the presence of predetermined events which will trigger the system to provide a notice to a user (col. 2, lines 6-24). The Shaffer et al. reference provides examples of sources for the received data as including email messages, web page updates, a scheduling message for a calendar, or a scheduling reminder. The system disclosed by the Shaffer et al. reference includes an electronic calendar program 13 that allows a user of the computer 10 to store and retrieve scheduling information from memory 15 (col. 3, lines 58 - 60).

In particular, the Shaffer et al. reference explains at, for example, col. 5, line 60 - col. 6, lines 12, that the data filter 16 can analyze messages associated with the electronic calendar 13 which can be scheduling updates or requests received from a remote device, such as a first remote computer 56, or a scheduling reminder generated by the electronic calendar 13 to notify the user of an upcoming event. Even more particularly, the Shaffer et al. reference explains that the scheduling update is analyzed by the data filter to determine if it includes the predetermined event in the same manner as the e-mail messages or the web page updates are analyzed (col. 5, line 65 - col. 6, line 3). Therefore, these scheduling updates disclosed by the Shaffer et al. reference are related to data included or being updated within an electronic calendar and the entire disclosure of the Shaffer et al. reference is directed to providing a system which is capable

of notifying a user of a scheduling update when that user is not local and when the scheduling update includes a predetermined event.

Thus, in stark contrast to the present invention, the Shaffer et al. reference does not teach or suggest setting an access time to access a second file based upon the data from within the first file. Rather, the Shaffer et al. reference teaches analyzing a scheduling update to determine whether the update includes a predetermined event and forwarding a notice if the update includes that predetermined event. The Shaffer et al. reference does not teach setting any access time at all, let alone setting an access time for a second file based upon data from a first file.

The Examiner also cites col. 1, lines 18-25, col. 2, lines 38-43 and col. 4, lines 11-17 of the Shaffer et al. reference in an attempt to remedy the deficiencies of the Najork et al. reference. These portions of the Shaffer et al. reference all describe the operation of a push server 53 and how the data network 11 may benefit from receiving web page updates from the push server. However, none of these passages teach or suggest setting an access time to access a second file based upon the data from within the first file.

In particular, the Shaffer et al. reference explains that the web server 53 provides a push service in which web sites are monitored to determine when updates occur (col. 4, lines 10-13). That subscribers to the push service are automatically provided with updates of preselected web sites when the web server detects an update of that web site (col. 4, lines 13-15). These updates may be provided to the subscriber as the updates occur or at user-configurable times (col. 4, 14-17).

However, the Shaffer et al. reference does not provide any disclosure at all as to how the

push server monitors web sites in order to determine when updates to the web sites occur. Indeed, Applicant respectfully submits that the push server disclosed by the Shaffer et al. reference is likely to suffer from the same problems which are solved by the present invention.

As explained above, conventional network file search engines conduct searches for updated files on networks periodically, such as at regular intervals. One problem with these conventional systems is that these systems do not have any method for determining when a website might be scheduled to be updated. Depending on how often a website is updated, the web crawler's archive data could be very outdated. On the other hand, frequent web crawler visits to websites which are not frequently updated consume valuable computer resources. The push server of the Shaffer et al. reference is also likely to suffer from these same problems.

The present invention provides a method for determining when and how often a web crawler should return to a web site. The present invention provides this advantage because the method accesses a first file on a network, downloads data from within the first file and sets an access time to access a second file based upon the data from within the first file, where that downloaded data indicates when the second file is scheduled to be updated.

Therefore, appellant respectfully submits that the push server disclosed by the Shaffer et al. reference suffers from the same problems which are solved by the present invention.

Since the Shaffer et al. reference does not disclose when or how it determines when or how to return to a web site to obtain updates, the Shaffer et al. reference clearly does not teach or suggest the feature of the present invention of setting an access time to access a second file based upon the data **from within** the first file.

While the Shaffer et al. reference appears to include a data filter 16 which may analyze data received from web page updates provided by the push server 53, the data filter 16 does not provide any feedback at all to the push server 53 to provide guidance as to when the push server should access a second file.

Indeed, the Shaffer et al. reference does not teach or suggest analyzing the web page update to determine when to access a second file, let alone setting an access time based upon that determination. Rather, the Shaffer et al. reference discloses a data filter which analyzes web page updates to determine whether that web page update indicates a predetermined event (such as a stock price change) to determine whether to provide a notification of that predetermined event to a remotely located user.

Regarding the means plus function recitations, the Examiner has failed to interpret the claims to read on the structures or materials disclosed in the specification and "equivalents thereof." The Federal Circuit has made it clear that the Office is required to interpret means plus function language in accordance with 35 U.S.C. § 112, sixth paragraph (see M.P.E.P. §2106; *In re Donaldson*, 16 F.3d 1189, 1193 (Fed. Cir. 1994) and *In re Alappat,* 33 F.3d 1526, 1540 (Fed. Cir. 1994)). Clearly, the Examiner has failed to interpret the claims to read on the structures or materials disclosed by the present specification and "equivalents thereof."

In the October 27, 2003 Advisory Action, the Examiner indicates that the Supplemental Amendment after Final Rejection filed on September 22, 2003 will be entered but that the Amendment does not place the application into condition for allowance because the Examiner disagrees with the appellant's arguments.

The Examiner alleges that the Najork et al. reference discloses time data that is stored in a computer as data and that, since this data is associated with the document previously downloaded, this reads upon the "file" from the claims.

However, the Examiner continues to ignore the clear language of the claims that recite that the time data is from within the first file that is downloaded and that the time data indicates when a second file is to be updated. Clearly, the time data that is disclosed by the Najork et al. reference is merely the time that a document required to download. Therefore, this time data has absolutely no relation to when a second file is to be updated as recited by independent claims 1, 7, 17, and 23.

Further, the Examiner contends that the feature disclosed by the Shaffer et al. reference of setting a regular update time for stock prices (col. 1, lines 18-25) reads on "based on data from a first file." However, the Examiner appears to confuse the user's update time which is provided by the user to the system disclosed by the Shaffer et al. reference. Rather, than an update time from within a previously downloaded file that includes time data that indicates when a second file will be updated as recited by the independent claims.

Indeed, none of the applied references teach or suggest downloading time data from within a first file that indicates when a second file is to be updated.

IX. CONCLUSION

Appellant requests removal of the rejection of claims 1-23 under 35 U.S.C. § 103(a).

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Appellant's Deposit Account No. 09-0441.

Respectfully Submitted,

Date: 12/22/03

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Attachment:
Appendix

APPENDIX

Claim 1. A method for searching files stored on a network, comprising:

downloading a first file on the network;

accessing time data from within the first file; and

setting an accessing time to access a said second file based on said time data from the first file, wherein said time data indicates when said second file is scheduled to be updated.

Claim 2. The method of claim 1, wherein the second file is an updated version of the first file.

Claim 3. The method of claim 1, further comprising selecting a second file to download based on said time data downloaded from the first file.

Claim 4. The method of claim 1, wherein said time data comprises a channel definition format file (CDF).

Claim 5. The method of claim 1, wherein said setting an accessing time comprises:

analyzing the time data from the first file to estimate when a second file is scheduled to be updated; and

assigning the accessing time based on said estimate of when the second file is scheduled to be updated.

Claim 6. The method of claim 3, wherein said setting an accessing time comprises:

analyzing the time data from the first file to estimate when a second file is scheduled to be updated; and

assigning the accessing time based on said estimate of when the second file is scheduled to be updated.

Claim 7. A method for searching files on a network, comprising:

accessing a server on the network;

downloading a first file from said server;

accessing time data from within said a first file; and

setting an accessing time to re-access the server based on said time data from the first file, wherein said time data indicates when a second file is scheduled to be updated.

Claim 8. The method of claim 7, further comprising:

accessing the server based upon the accessing time; and

downloading a second file from the server.

Claim 9. The method of claim 8, wherein the second file is an updated version of the first file.

Claim 10. The method of claim 7, further comprising selecting said second file to download

based on said time data downloaded from the first file.

Claim 11. The method of claim 8, further comprising selecting said second file to download based on said time data downloaded from the first file.

Claim 12. The method of claim 7, wherein said data comprises a channel definition format file (CDF).

Claim 13. The method of claim 7, wherein said setting an accessing time comprises:

analyzing the time data from the first file to estimate when a second file is scheduled to be updated; and

assigning the accessing time based on said estimate of when the second file is scheduled to be updated.

Claim 14. The method of claim 13, wherein the accessing time is after the scheduled update of the second file.

Claim 15. The method of claim 8, wherein said setting an accessing time comprises:

analyzing the time data from the first file to estimate when a second file is scheduled to be updated; and

assigning the accessing time based on said estimate of when the second file is scheduled

to be updated.

Claim 16. The method of claim 10, wherein setting an accessing time comprises:

analyzing the time data from the first file to estimate when a second file is scheduled to be updated; and

assigning the accessing time based on said estimate of when the second file is scheduled to be updated.

Claim 17. A system comprising a machine readable recording medium storing a program for searching through files stored on a network, said program including executable instructions for:

downloading a first file on the network; and

accessing time data from within the first file; and

setting an accessing time to access a second file based on said time data from the first file, wherein said time data indicates when said second file is scheduled to be updated.

Claim 18. The system of claim 17, wherein the second file is an updated version of the first file.

Claim 19. The system of claim 17, further comprising selecting said second file to access based on said time data downloaded from the first file.

Claim 20. The system of claim 17, wherein said time data comprises a channel definition format file (CDF).

Claim 21. The system of claim 17, wherein setting an accessing time comprises:

analyzing the time data from the first file to estimate when a second file is scheduled to be updated; and

assigning the accessing time based on said estimate of when the second file is scheduled to be updated.

Claim 22. The system of claim 19, wherein setting an accessing time comprises:

analyzing the time data from the first file to estimate when said second file is scheduled to be updated; and

assigning the accessing time based on said estimate of when the second file is scheduled to be updated.

Claim 23. A system for searching files stored on a network, comprising:

means for downloading accessing a first file on the network;

means for accessing time data from within the first file; and

means for setting an accessing time to access a second file based on said time data from the first file, wherein said time data indicates when said second file is scheduled to be updated.